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FACSIMILE TRANSMITTAL SHEET

TO: Examiner Fangemonique A. Smith – Group Art Unit: 3736

FIRM/COMPANY: U.S. Patent and Trademark Office – Mail Stop Amendment

FACSIMILE NUMBER: (571) 273-8300

**CONFIRMATION
TELEPHONE:** (571) 272-8160 (Examiner)

FROM: Anne Marie Leavy-Ghazi for Edward J. Lynch

DIRECT DIAL: 415.957.3017

DATE: November 10, 2006

USER NUMBER: 5121

FILE NUMBER: Docket No. R0367-03700

TOTAL # OF PAGES: 31
(INCLUDING COVERSHEET)

MESSAGE: Attached is an *Amendment and Response to Office Action* mailed 7/14/2006 in connection with patent application Serial No. 10/642,406, filed August 15, 2003.

Please confirm receipt of this facsimile.

NOTE: Original will NOT follow

CONFIDENTIALITY NOTICE

THIS FACSIMILE TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY TELEPHONE THE SENDER ABOVE TO ARRANGE FOR ITS RETURN, AND IT SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE.

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NOV 10 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
*Burbank et al.*Examiner: Fangemonique A.
SmithFor: **BIOPSY DEVICE WITH NEEDLE SHAPED
INNER CUTTER**

Group Art Unit: 3736

Serial No.: 10/642,406

Filed: August 15, 2003

TRANSMITTAL

Atty. Docket No.: R0367-03700

CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8

I hereby certify that these papers are being sent by facsimile to (571) 273-8300, addressed to Examiner Fangemonique A. Smith, Mail Stop
Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 10, 2006, in San Francisco, CA.*Anne Marie Leavy-Ghazi*
Anne Marie Leavy-GhaziMail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. Transmitted herewith for filing in the above-identified patent application is an Amendment and Response to Office Action Mailed 07/14/2006 and Request for Extension of Time.

2. Claim Fee Calculation

☒ No additional claim fee is required.
☐ Amendment increases number of claims or multiple dependencies.

Additional Claim Fee Calculation

| Description | Fee Code | Claims | Extra | Rate | Fee |
|--------------------|----------|-----------|-------|--------|-------|
| Independent Claims | 2201 | 11 - 11 = | 0 x | \$100= | \$-0- |
| Total Claims | 2202 | 86 - 86 = | 0 x | \$25= | \$-0- |

Additional Claims Fee \$-0-

3. Additional fees: Request for Extension of Time for one (1) month from October 14, 2006 to November 14, 2006 pursuant to 37 CFR §1.17(a)(1).....\$60.

Total Fees Due.....\$60.

4. Payment of Fees

☐ Enclosed is a check for the total fees due in the amount of _____.
☒ The Commissioner is authorized to charge any fees and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-03700. A duplicate copy of this document is enclosed for fee processing.

By: *Edward J. Lynch*Edward J. Lynch
Registration No. 24,422

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Burbank et al.

Examiner: Fangemonique A. Smith

Group: 3736

For: BIOPSY DEVICE WITH NEEDLE
SHAPED INNER CUTTER

Serial No.: 10/642,406

**AMENDMENT AND RESPONSE TO
OFFICE ACTION MAILED
07/14/2006**

Filed: August 15, 2003

Atty. Docket No.: R0367-03700

CERTIFICATE OF MAILING PURSUANT TO 37 CFR 1.8

I hereby certify that this correspondence is being transmitted by facsimile (571) 273-8300 and addressed to Attention: Examiner Fangemonique A. Smith, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 11-10-06 in San Francisco, CA.

By: Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed July 14, 2006 in the above-referenced application, please amend the above-referenced application as follows:

11/14/2006 EFLORES 00000016 041679 10642406

01 FC:2251 60.00 DA